



SENTENCING MINUTES

DATE: June 17, 2011CASE NUMBER: 3:10 CR00249-01JUDGE: PayneCT REPORTER: Gil Wassrock

INTERPRETER: _____

UNITED STATES OF AMERICA

Michael R. Gill, AUSARebecca A. Parham, Sec.Michael Madonia, Sec.Lee W. Kilduff, ESQ.Daniel G. Burger, Esp.

() Criminal Information

() Indictment (☒) Superseding Ind.SENTENCING ON COUNT(S): 1, 2 & 3 OF thePRELIMINARY MATTERS: Govt. offered evidence re: tape loss.OBJECTIONS TO PSR: heard, overruled.STATEMENTS MADE BY: GOV'T (☒) DEFENSE COUNSEL (☒) DEFT (☐)ON MOTION OF GOV'T, (☒) INDICTMENT (☐) REMAINING CTS. DISMISSED.

DEFENDANT TO VOLUNTARILY REPORT TO DESIGNATED INSTITUTION

ON: _____ BY: _____
() IF NO DESIGNATION MADE, REPORT TO U.S. MARSHAL IN RICHMONDDEFT ADVISED OF RIGHT OF APPEAL within 10 days of today (☒)DEFT REMANDED TO CUSTODY (☒)CASE SET: 9:30 am BEGAN: 9:35 a.m. ENDED: 4:15 p.m. TIME IN COURT: 5 hrs. 15 mins.20 mins. 1 hr.

PAGE TWO (2)

SENTENCE TEXTCOUNT 1 IMPRISONMENT 36 MOS. CONCURRENT () CONSECUTIVE ()

CREDIT FOR TIME SERVED ON THIS CHARGE ()

SUPERVISED RELEASE 1 YEARS

PROBATION _____ YEARS

FINE \$ 250,000.00 () Fine not imposedSPECIAL ASSESSMENT \$ 100⁰⁰ due immediately *+ during incarceration*COUNT 2 IMPRISONMENT 36* MOS. CONCURRENT () CONSECUTIVE ()SUPERVISED RELEASE 1 YEARS CONCURRENT (☒)

PROBATION _____ YEARS CONCURRENT ()

FINE \$ _____ () Fine not imposed

SPECIAL ASSESSMENT \$ 100⁰⁰ due immediately *+ during incarceration*COUNT 3 IMPRISONMENT 60 MOS. CONCURRENT (☒) CONSECUTIVE ()SUPERVISED RELEASE 3 YEARS CONCURRENT (☒)

PROBATION _____ YEARS CONCURRENT ()

FINE \$ _____ () Fine not imposed

SPECIAL ASSESSMENT \$ 100⁰⁰ due immediately

CONSENT ORDER OF FORFEITURE MADE A PART OF JUDGMENT IN CASE ()

RESTITUTION ORDERED: _____

RECOMMENDATION(S) TO BOP:

- () Designate dft. to a facility near family () Designate dft. to _____ FCI
 () SHOCK Incarceration Program () BRAVE Program
 () Educational / Vocational training () BOP 500-hr intensive drug treatment program
 () UNICOR program () with _____ portion of earnings directed to child support
 () OTHER: _____

*except that 18
months of this sentence
shall be served
consecutive to the
term imposed on
count 4*

PAGE THREE (3)

SPECIAL CONDITIONS of Probation / Supervised Release:

- ✓ (1) Incur no new credit without approval of probation officer
- ✓ (2) Provide probation officer with access to financial information
- _____ (3) Perform community service _____ HOURS during period of supervision
- ✓ (4) Participate in drug/alcohol treatment; _____ Pay cost of treatment
- ✓ (5) Participate in mental health treatment; _____ Pay cost of treatment
- _____ Participate in anger management
- _____ (6) Participate in home confinement program for _____ with monitoring
- _____ Permitted to work, attend church, or other approved activities
- _____ Maintain telephone without special features; no cordless phone
- _____ Pay costs of electronic monitoring
- _____ (7) Placement in a Community Confinement Center for _____ (term)
- _____ (8) Defendant to be surrendered to BICE for deportation proceedings
- _____ If deported, defendant to remain outside the United States
- _____ (10) Mandatory drug testing waived
- _____ Probation officer may still administer drug test if deemed appropriate
- _____ (11) Pay child support in amount ordered by social services or Court
- _____ (13) Serve intermittent confinement on weekends for a period of _____ DAYS
- _____ (14) No possession of pager, cellular telephone, or other handheld communication device
- ✓ (15) Defendant shall pay any balance owed on the S/A imposed by the Court
- _____ Pay in installments of not less than \$ 500.00 per month, a of 25% of
to begin 30 / 60 days after start of supervision until paid in full his gross
income which
is greater.
- _____ (16) Waive all rights of confidentiality regarding mental health treatment
(or other treatment) to allow release of information to Probation, etc.
- _____ (17) Commencing _____, and continuing for _____, defendant may
operate a motor vehicle only for purposes of work and court, including travel to
the Probation Office and alcohol treatment program
- ✓ (18) Defendant to apply monies received from tax refunds, lottery winnings, and any
anticipated or unexpected financial gains to the Court-ordered financial obligations,
including of course the fine imposed.
- ✓ (---) Other special conditions:

Def. shall cooperate with the Internal Revenue Service in
their collection efforts and shall pay all taxes
owed to include penalties and interest including
such amounts that may result as a result of any civil
actions brought against the defendant.

UNITED STATES DISTRICT COURT

Eastern

DISTRICT OF

Virginia - Richmond DivisionUnited States

EXHIBIT AND WITNESS LIST

Samuel V. T. Moore, IIICase Number: 3:10cr00249-01

PRESIDING JUDGE <u>Payne</u>					PLAINTIFF'S ATTORNEY <u>See minute sheet</u>	DEFENDANT'S ATTORNEY <u>See minute sheet</u>
TRIAL DATE (S) <u>June 17, 2011</u>					COURT REPORTER <u>Gil Holmes</u>	COURTROOM DEPUTY <u>Skip Neuf</u>
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
<u>1</u>					<u>Robin Rogers</u>	
<u>A</u>				<input checked="" type="checkbox"/>	<u>Document re: tax loss</u>	
<u>B</u>				<input checked="" type="checkbox"/>	<u>Taxol - re: Lap DANCERS etc.</u>	
<u>201</u>					<u>Schedule -</u>	
	<u>9</u>			<input checked="" type="checkbox"/>	<u>Copy income statement 2008</u>	
	<u>10</u>		<u>N/A</u>	<input type="checkbox"/>	<u>not admitted Reported</u>	
	<u>11</u>		<u>N/A</u>	<input type="checkbox"/>	<u>not Adm'd Rylee</u>	
<u>2</u>					<u>Julia Backst</u>	
<u>K</u>				<input checked="" type="checkbox"/>	<u>Tax Information</u>	
<u>L</u>				<input checked="" type="checkbox"/>	<u>TR computation</u>	
<u>D</u>				<input checked="" type="checkbox"/>	<u>Dead TRUST 4-19-10</u>	
<u>E</u>				<input checked="" type="checkbox"/>	<u>HUD statement 4-22-10</u>	
<u>F</u>				<input type="checkbox"/>	<u>Wachovia Bank Acct</u>	
<u>J</u>				<input type="checkbox"/>	<u>HUD statement 7/1/10</u>	
<u>C</u>				<input type="checkbox"/>	<u>Summary Transactions - Flaw m</u>	
<u>G</u>				<input type="checkbox"/>	<u>Wachovia Bank Acct</u>	
<u>H</u>				<input type="checkbox"/>	<u>Scot's Mobile Acct.</u>	
<u>I</u>				<input checked="" type="checkbox"/>	<u>SunTrust Bank Acct</u>	
<u>M</u>	<u>1</u>			<input checked="" type="checkbox"/>	<u>Plan Agreement</u>	
<u>M</u>				<input type="checkbox"/>		

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.